

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KENNETH CARRETHERS,

No. C-09-1101 EMC

Plaintiff,

**RESPONSE TO NOTE NO. 7 AND NOTE
NO. 8**

v.

BAY AREA RAPID TRANSIT, *et al.*,

Defendants.

Response to Note 7:

Jury Instruction No. 29, lines 12-13 and Step 2 pertains to or encapsulates Penal Code § 148(a)(1).

Jury Instruction No. 29, lines 13-15 and Step 1 pertains to or encapsulates Penal Code § 69.

Response to Note 8:

Although the Learning Domains were read from during the testimony of certain witnesses at trial, these documents were not introduced into evidence. You should rely on your memory and notes as to testimony pertaining to those Learning Domains, including the trial testimonies of Chief Gee, Sgt. Wong, and Mr. Clark.